

Attachment A

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

FILED

MAR 24 2020

U.S. DISTRICT COURT
ELKINS WV 26241Marc Pierre Hall

Your full name

As
Amended
FEDERAL CIVIL RIGHTS
COMPLAINT / Affidavit
(BIVENS ACTION)

5:20cv59

v.

Civil Action No.: 5:20cv36

(To be assigned by the Clerk of Court)

Director Herwitz; Regional -Director A.P. Dunbar; Warden J. -Cookley; A.W. Keys; Captain Phipps;HSA Friend; ASHA McCordle (continued):

Enter above the full name of defendant(s) in this action

Bailey
Mazzone
Blalock

I. JURISDICTION

This is a civil action brought pursuant to Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971). The Court has jurisdiction over this action pursuant to Title 28 U.S.C. §§ 1331 and 2201, 1332; 1343a(1-4); b(1-2); 1361; 1367(a-e); 1961; 42 USC 1983(3); 1988; F.R.Cv.P Rules 18; 19; 45; Art III (US - Constitution).

II. PARTIES

In Item A below, place your full name, inmate number, place of detention, and complete mailing address in the space provided.

A. Name of Plaintiff: Marc Pierre Hall Inmate No.: 11691-058
Address: POB 2000 - USP Hazelton, Bruceston Mills,
W.Va 26525

In Item B below, place the full name of each defendant, his or her official position, place of employment, and address in the space provided.

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7.

Defendants

Director Kathleen H. Sawyer; Regional Director D. J. Harmon;
yvette Phillips Central Office Medical Designator ;
Complex Warden Antonelli; Complex Warden F. Entzel;
Associate Warden McCraffrey; Associate Warden Sweeney;
Legal Counsel's Office; Legal Counsel Matthew W. -
Mellady; Captain Howell; Captain Haggamyer; Regional -
Doctor V. Dankwa; Regional RN Osborn; Sarah Senko (PHS);
Doctor G. Nimms; (FNP-BC) John Ryles; PA-C. Meyers.
Officer Moats; Director Mark Inch;
Office of Medical Designator; PA- Leigh Bird; HIT clerk Shaw;

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B. Name of Defendant: Director Herwitz
 Position: ex national director BOP Agency
 Place of Employment: BOP Agency (last known)
 Address: 320 first street, NW, Washington, DC.
20534 (last known)

Was this Defendant acting under the authority or color of federal state law at the time these claims occurred? ☒ Yes ☐ No

If your answer is "YES," briefly explain: Authorized under Federal law, rule, regulation to supervise the National BOP Agency, who violated the law, failing to do so, and to provide the medical standard of care, a fundamental interest at stake and imminent danger.

B.1 Name of Defendant: Angela P. Dunbar
 Position: Regional Director BOP Agency
 Place of Employment: BOP Agency (last known)
 Address: Mid-Atlantic Regional Office, 302 Sentinel Drive #200, Annapolis Junction, MD. 20701 (last known)

Was this Defendant acting under the authority or color of federal state law at the time these claims occurred? ☒ Yes ☐ No

If your answer is "YES," briefly explain: Authorized under Federal law, rule, regulation to supervise the Mid-Atlantic Region who violated the law, failing to do so, and to provide the medical standard of care, a fundamental interest at stake and imminent danger.

B.2 Name of Defendant: Joe Cookley
 Position: Complex ex Warden
 Place of Employment: USP Hazelton (last known)
 Address: Bruceton Mills, WV. 26525 (last known)

Was this Defendant acting under the authority or color of federal state law at the time these claims occurred? ☒ Yes ☐ No

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If your answer is "YES," briefly explain: Authorized under Federal law, rule, regulation to supervise USP Hazelton who violated the law failing to do so, and to provide the medical standard of care, a fundamental interest at stake and imminent danger.

B.3 Name of Defendant: Associate Warden Keys
 Position: Associate Warden (AW)
 Place of Employment: USP Hazelton (last known)
 Address: Bruceston Mills, WV. 26525 (last known)

Was this Defendant acting under the authority or color of federal state law at the time these claims occurred? ☒ Yes ☐ No

If your answer is "YES," briefly explain: Authorized under Federal law, rule, regulation to supervise operations of the USP Hazelton Medical Department, who violated the law failing to do so, and to provide the medical standard of care, a fundamental interest at stake and imminent danger.

B.4 Name of Defendant: Mark Inch
 Position: Ex National Director
 Place of Employment: BOP Agency (last known)
 Address: 320 First Street, NW, Washington, DC. 20534 (last known).

Was this Defendant acting under the authority or color of federal state law at the time these claims occurred? ☒ Yes ☐ No

If your answer is "YES," briefly explain: Authorized under Federal law, rule, regulation to supervise the National BOP Agency, who violated the law, failing to do so, and to provide the medical standard of care, a fundamental interest at stake and imminent danger.

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(Parties section B6 Continued): Additional page

B.6 Name of Defendant: Kathleen Hawk Sawyer

Position: National Director BOP Agency

Place of Employment: BOP Agency (last known)

Address: 320 First Street, NW, Washington, DC. 20534
(last known).

Was this Defendant acting under the authority or color of Federal State law at the time these claims occurred? [Yes]

If your answer is "YES", briefly explain: Authorized under Federal law, rule, regulation to supervise the National BOP Agency, who violated the law, failing to do so, and to provide the medical standard of care, a fundamental interest at stake and imminent danger.

B.7 Name of Defendant: D. J. Harmon

Position: Regional Director BOP Agency

Place of Employment: BOP Agency (last known)

Address: Mid-Atlantic Regional Office, 302 Sentinel Drive
#200, Annapolis Junction, MD. 20701 (last known)

Was this Defendant acting under the authority or color of Federal state law at the time these claims occurred? [Yes]

If your answer is "YES", briefly explain: Authorized under Federal law, rule, regulation to supervise the Mid-Atlantic Region who violated the law, failing to do so, and to provide the medical standard of care, a fundamental interest at stake and imminent danger.

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(Parties Sec. B8 continued): Additional page

B.8 Name of Defendant: (HSA) Friend

Position: Hospital Administrator

Place of Employment: USP Hazelton, WV. (last known)

Address: USP Hazelton, WV. 26525 (last known)

Was this Defendant acting under the authority of color of Federal state law at the time these claims occurred? [yes]

If your answer is "YES", briefly explain: Authorized under federal law, rule, regulation to supervise the administrative duties of the medical department at USP Hazelton that included appointments to outside care, who failed to do so and provide the proper medical standard of care, a fundamental interest at stake and imminent danger.

B.9 Name of Defendant: (PHS) McCordle (sic)

Position: Public Health Service - Assistant Hospital Administrator

Place of Employment: USP Hazelton, WV. (last known)

Address: USP Hazelton, WV. 26525 (last known)

Was this Defendant acting under the authority of color of Federal state law at the time these claims occurred? [yes]

If your answer is "YES", briefly explain: Authorized under federal law, rule, regulation to supervise the administrative duties of the medical department at USP Hazelton, who failed to do so and provide the proper standard of medical care, a fundamental interest at stake and imminent danger.

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(Parties Sec. B10 continued): Additional page

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B.10 Name of Defendant: Yvette Phillips

Position: Central Office Medical Designator (last known)

Place of Employment: BOP Agency (last known)

Address: 320 First Street, N.W., Washington, DC. 20534
(last known)

Was this Defendant acting under the authority of color of Federal State law at the time these claims occurred? [Yes]
If your answer is "YES", briefly explain: Authorized under Federal law, rule, regulation to supervise the National BOP Agency Medical Administrative duties pertaining to medical transfers in accord with policy directives for intubated inmates, failing to do so, violated the law, and failed to provide the proper standard of care, a fundamental interest at stake and imminent danger.

B.11 Name of Defendant: Warden Antonelli

Position: Complex Warden

Place of Employment: USP Hazelton, WV.

Address: Bruceton Mills, WV. 26525

Was this Defendant acting under the authority of color of Federal State law at the time these claims occurred? [Yes]
If your answer is "YES", briefly explain: Authorized under Federal law, rule, regulation to supervise USP Hazelton who violated the law failing to do so, and provide for the proper medical standard of care, a fundamental interest at stake and imminent danger.

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(parties Sec. B12 Continued): Additional page

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B.12 Name of Defendant: F. ENTzelPosition: Complex WardenPlace of Employment: USP Hazelton (last known)Address: USP Hazelton, Bruceton Mills, WV. 26525
(last known).

Was this Defendant acting under the authority or color of Federal State law at the time these claims occurred? [Yes]

If your answer is "YES", briefly explain: Authorized under federal law, rule, regulation to supervise USP Hazelton who violated the law failing to do so, and failing to provide the proper standard of medical care, a fundamental interest at stake and imminent danger.B.13 Name of Defendant: Associate Warden McCraffreyPosition: Associate Warden (AW)Place of Employment: USP Hazelton, WV.Address: USP Hazelton, Bruceton Mills, WV. 26525

Was this Defendant acting under the authority or color of Federal State law at the time these claims occurred? [Yes]

If your answer is "YES", briefly explain: Authorized under Federal law, rule, regulation to supervise operations of the USP Hazelton Medical Department etc., who violated the law failing to do so, and to provide the proper standard of medical care, a fundamental interest at stake and imminent danger.

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(parties Sec. B14 continued): Additional page

B.14 Name of Defendant: Associate Warden Sweeney (sic)

Position: Associate Warden (AW)

Place of Employment: USP Hazelton, WV. (last known)

Address: USP Hazelton, Bruceton Mills, WV. 26525
(last known)

Was this Defendant acting under the authority or color of Federal State law at the time these claims occurred? [Yes]
If your answer is "YES", briefly explain: Authorized under Federal law, rule, regulation to super-vise operations of the USP Hazelton Medical Department etc., who violated the law failing to do so and to provide the proper standard of medical care, a fundamental interest at stake and imminent danger.

B.15 Name of Defendant: Legal Counsel's Office

Position: Office

Place of Employment: Mid-Atlantic Regional Office BOP Agency

Address: Mid-Atlantic Regional Office, 302 Sentinel Drive, ste 200
Annapolis Junction, MD. 20701.

Was this Defendant acting under the authority or color of Federal State law at the time these claims occurred? [Yes]
If your answer is "YES", briefly explain: Authorized under Federal law, rule, regulation to approve denied medical rights to inmates pursuant policy, who failed to do so violating law, that denied the proper standard of medical care, a fundamental interest at stake and imminent danger, such was by and through its employees.

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(parties sec. B16 continued): Additional page

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B.16 Name of Defendant: Captain Howell

Position: Captain

Place of Employment: USP Hazelton, WV. (last known)

Address: USP Hazelton, Bruceton Mills, WV. 26525
(last known).

Was this Defendant acting under the authority or color of federal state law at the time these claims occurred? [Yes]
if your answer is "YES", briefly explain: Authorized under Federal law, rule, regulation to super-vise operations of USP Hazelton including medical appointments, who failed to do so, and violated law to provide access to outside care for standard of care, a fundamental interest at stake and imminent danger.

B.17 Name of Defendant: Captain Haqqameyer

Position: Captain

Place of Employment: USP Hazelton, WV.

Address: USP Hazelton, Bruceton Mills, WV. 26525

Was this Defendant acting under the authority or color of federal state law at the time these claims occurred? [Yes]
if your answer is "YES", briefly explain: Authorized under Federal law, rule, regulation to super-vise operations of USP Hazelton including medical appointments, who failed to do so, and violated law to provide access to access to outside care for standard of care, a fundamental interest at stake and imminent danger.

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(parties Sec. B18 continued): Additional page

B.18 Name of Defendant: Melody Osborn

Position: RN - Registered Nurse

Place of Employment: Mid-Atlantic Regional office

Address: Mid-Atlantic Regional office, 302 Sentinel Drive, Suite 200, Annapolis Junction, MD. 20701.

Was this Defendant acting under the authority or color of Federal State law at the time these claims occurred? [Yes]

If your answer is "YES", briefly explain: Authorized under Federal law, rule, regulation to make decisions regarding consultation appointments for inmates at USP Hazelton, WV., who did so that violated law, failing to provide the proper standard of medical care, a fundamental interest at stake and imminent danger.

B.19 Name of Defendant: Sarah Senko

Position: Public Health Service Worker

Place of Employment: USP Hazelton, WV (last known)

Address: USP Hazelton, Bruceton Mills, WV. 26525 (last known).

Was this Defendant acting under the authority or color of Federal State law at the time these claims occurred? [Yes].

If your answer is "YES", briefly explain: Authorized under Federal law, rule, regulation to assist the Health Administrator administer medical health care at USP Hazelton, WV., and in doing so violated law, failing to provide the proper standard of medical care, a fundamental interest at stake and imminent danger.

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(parties Sec. B.20 Continued): Additional page

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B.20 Name of Defendant: Gregory NimmmsPosition: Medical Doctor - Clinical DirectorPlace of Employment: USP Hazelton, WV.Address: USP Hazelton, Bruceston Mills, WV. 26525

Was this Defendant acting under the authority or color of Federal State law at the time these claims occurred? [Yes]

If your answer is "YES", briefly explain: Authorized under Federal law, rule, regulation to super-vise the medical department and provide the proper standard of medical care at USP Hazelton, WV., who did not, violating law, a Fundamental Interest at stake and imminent danger.B.21 Name of Defendant: John PylesPosition: (F. Nurse Practitioner - BC)Place of Employment: USP Hazelton, WV.Address: USP Hazelton, Bruceston Mills, WV. 26525

Was this Defendant acting under the authority or color of Federal State law at the time these claims occurred? [Yes]

If your answer is "YES", briefly explain: Authorized under Federal law, rule, regulation to provide the proper standard of medical care at USP Hazelton, WV., who did not, violating law, a Fundamental Interest at stake and imminent danger.

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(parties Sec. B.22 Continued): Additional page

B.22 Name of Defendant: C. Meyers

Position: Physician Assistant (PA)

Place of Employment: USP Hazelton, WV.

Address: USP Hazelton, Bruceton Mills, WV. 26525
(last known)

Was this Defendant acting under the authority or color of Federal state law at the time these claims occurred? [Yes]

If your answer is "YES," briefly explain: Authorized under federal law, rule, regulation to provide the proper standard of medical care at USP Hazelton, WV., who did not, violating law, a fundamental interest at stake and imminent danger.

B.23 Name of Defendant: Matthew W. Melladay

Position: Regional Counsel

Place of Employment: Regional Counsel's Office, Maryland

Address: Mid-Atlantic Regional Office, 302 Sentinel Dr. #200, Annapolis Junction, MD. 20701

Was this Defendant acting under the authority or color of Federal state law at the time these claims occurred? [Yes]

If your answer is "YES," briefly explain: Authorized under federal law, rule, regulation to supervise and assist BOP employees in the region that included USP Hazelton with rules, regulation, policy and law including policy directives to provide the proper standard of medical care at such facility who failed to do so and violated law, a fundamental interest at stake and imminent danger.

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(parties Sec. B.24 Continued): Additional page

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B.24 Name of Defendant: Office of Central Medical Designator

Position: Office

Place of Employment: Washington, DC. Central office BOP Agency.

Address: 320 first street, N.W., Washington, DC. 20534

Was this Defendant acting under the authority or color of federal state law at the time these claims occurred? [Yes]

If your answer is "YES", briefly explain: Authorized under federal law, rule, regulation to supervise the national BOP Agency medical administrative duties pertaining to medical transfers in accord with policy directives for intubated inmates, by and through its employees, failing to do so, violated law, and failed to afford the proper standard of care, a fundamental interest at stake and imminent danger.

B.25 Name of Defendant: Officer Moates

Position: Correctional officer

Place of Employment: USP Hazelton, WV.

Address: Bruceston Mills, WV. 26525

Was this Defendant acting under the authority or color of federal state law at the time these claims occurred? [Yes]

If your answer is "YES", briefly explain: Authorized under federal law, rule, regulation as a correctional officer to carry out the regular operational duties of USP Hazelton, WV. as needed to include unit detail, in doing so, violated law, a fundamental interest at stake and imminent danger.

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(parties sec. B. 26 continued): Additional page

B. 26 Name of Defendant: HIT Clerk Shaw

Position: Health Information Technician

Place of Employment: USP Hazelton, WV.

Address: Bruceston Mills, WV. 26525

Was this Defendant acting under the authority or color of Federal state law at the time these claims occurred? [Yes].

If your answer is "YES", briefly explain: Authorized under Federal law, rule, regulation as the Health Information Technician to provide for accurate medical records inter-alia scheduling consultant visits, in failing to do so, violated the law, and did not provide the proper standard of care at USP Hazelton, WV., a fundamental interest at stake and imminent danger.

Name of Defendant: Complex Captain Perez (Dismissed defendant)

Position: Complex Captain (Dismissed Defendant)

Place of Employment: USP Hazelton, WV.

Address: Bruceston Mills, WV. 26525

Was this Defendant acting under the authority or color of Federal state law at the time these claims occurred? [Yes].

If your answer is "YES", briefly explain: Authorized under Federal law, rule, regulation to supervise operations of USP Hazelton including medical appointments, who failed to do so, and violated law, not providing the proper standard of medical care, a fundamental interest at stake and imminent danger.

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(parties sec B28 Continued) : Additional page

B.28 Name of Defendant : Leigh Bird

Position : Physician Assistant (PA)

Place of Employment : USP Hazelton, WV. (last known)

Address : Bruceton Mills, WV. 26525

Was this Defendant acting under the authority or color of Federal State law at the time these claims occurred? [Yes]
if your answer is "YES", briefly explain : Authorized under Federal law, rule, regulation to provide the proper standard of medical care at USP Hazelton, WV., who did not, violating law, a fundamental interest at stake and imminent danger.

B.5 Name of Defendant: Captain Phipps
 Position: Captain
 Place of Employment: USP Hazelton (last known)
 Address: USP Hazelton, Bruceton Mills, WV, 26525
(last known).

Was this Defendant acting under the authority or color of federal state law at the time these claims occurred? ☒ Yes ☐ No

If your answer is "YES," briefly explain: Authorized under federal law, rule, regulation to supervise operations of USP Hazelton including medical appointments, who failed to do so, and violated law & provide access to outside care and standard of care, a fundamental interest at stake and imminent danger.

III. PLACE OF PRESENT CONFINEMENT

Name of Prison/ Institution: USP Hazelton, WV.

A. Is this ~~where~~ the events concerning your complaint took place? ☒ Yes ☐ No

If you answered "NO," where did the events occur?

B. Is there a prisoner grievance ~~procedure~~ in the institution where the events occurred? ☒ Yes ☐ No

C. Did you file a grievance concerning the facts relating to this complaint in the prisoner grievance procedure? ☒ Yes ☐ No

D. If your answer is "NO," explain why not: _____

E. If your answer is "YES," identify the administrative grievance procedure number(s) in which the claims raised in this complaint were addressed

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and state the result at level one, level two, and level three. **ATTACH**

GRIEVANCES AND RESPONSES:

with S.Ct. Jones v. Black, 126 Fed. 798 (2007) ("We conclude that failure to exhaust is an affirmative defense under the PLRA, and that inmates are not required to specifically plead or demonstrate exhaustion in their complaints").

LEVEL 1

LEVEL 2

LEVEL 3

1. N/A
2. N/A
3. N/A

IV. PREVIOUS LAWSUITS AND ADMINISTRATIVE REMEDIES

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action? ☐ Yes ☒ No

B. If your answer is "YES", describe each lawsuit in the space below. If there is more than one lawsuit, describe additional lawsuits using the same format on a separate piece of paper which you should attach and label: "IV PREVIOUS LAWSUITS"

1. Parties to this previous lawsuit:

Plaintiff(s): _____

Defendant(s): _____

2. Court: _____
(If federal court, name the district; if state court, name the county)

3. Case Number: _____

4. Basic Claim Made/Issues Raised: _____

5. Name of Judge(s) to whom case was assigned:

6. Disposition: _____
(For example, was the case dismissed? Appealed? Pending?)

7. Approximate date of filing lawsuit: _____

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8. Approximate date of disposition. Attach Copies: _____

- C. Did you seek informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part B?
☐ Yes ☒ No

- D. If your answer is "YES," briefly describe how relief was sought and the result. If your answer is "NO," explain why administrative relief was not sought.

- E. Did you exhaust available administrative remedies?
☐ Yes ☒ No

- F. If your answer is "YES," briefly explain the steps taken and attach proof of exhaustion. If your answer is "NO," briefly explain why administrative remedies were not exhausted.

- G. If you are requesting to proceed in this action *in forma pauperis* under 28 U.S.C. § 1915, list each civil action or appeal you filed in any court of the United States while you were incarcerated or detained in any facility that was dismissed as frivolous, malicious, or for failure to state a claim upon which relief may be granted. Describe each civil action or appeal. If there is more than one civil action or appeal, describe the additional civil actions or appeals using the same format on a separate sheet of paper which you should attach and label "G. PREVIOUSLY DISMISSED ACTIONS OR APPEALS" Please see pacer ③ prior dismissal - unknown.

1. Parties to previous lawsuit: see pacer please, forgotten.

Plaintiff(s): Please see pacerDefendant(s): Please see pacer

2. Name and location of court and case number:

Please see pacer3. Grounds for dismissal: ☒ frivolous ☐ malicious
☒ failure to state a claim upon which relief may be granted4. Approximate date of filing lawsuit: please see pacer5. Approximate date of disposition: please see pacer

This case is proceeding under a basic fundamental interest at stake of constitutional rights for access to the courts to redress denied medical rights alternative to imminent danger.

V. STATEMENT OF CLAIM

State here, as **BRIEFLY** as possible, the facts of your case. Describe what each defendant did to violate your constitutional rights. **You must include allegations of specific wrongful conduct as to EACH and EVERY defendant in the complaint.** Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, you must number and set forth each claim in a separate paragraph. **UNRELATED CLAIMS MUST BE RAISED IN SEPARATE COMPLAINTS WITH ADDITIONAL FILING FEES. NO MORE THAN FIVE (5) TYPED OR TEN (10) NEATLY PRINTED PAGES MAY BE ATTACHED TO THIS COMPLAINT. (LR PL 3.4.4)**

CLAIM 1: Deliberate Indifference To serious Medical needs ;
And /or Conspiracy To deprive civil rights for unreasonable
delay of access to proper standard of care, a threat to
health and safety placing Mr. Hall in imminent danger of
serious injury, violating the Constitution's 5th and 8th Amendments.

Supporting Facts: Between 5/17/18 to present, Warden Joe Cookley;
Hospital Administrator Friend; Assistant Hospital Administrator McCordle;
Dr. Gregory Mimms; FNP John Ryles; PA Christopher Meyers and HIT clerk
shaw, did in deliberate indifference to serious medical needs of chronic asthma
and copd to include neurology and physiatry for Lumbar spondylosis - stenosis,

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stenosis; degenerative disc disease and herniation of disc; edema; rheumatology for chronic arthritic disease deteriorating muscle and affecting joints; cardiology for low heart voltage; orthopedic for meniscus tears and bone edema; or conspiracy to deprive (continued)

CLAIM 2: Supervisors acted with deliberate indifference failing to properly supervise and train subordinates, denying proper standard of care; and/or conspired to deprive such civil rights for proper standard of care by tacit authorizations, that threatened health and safety placing plaintiff in imminent danger of serious injury violating the Constitution's 5th and 8th amendments.

Supporting Facts: Between the dates 5/17/18 to present, Director Inch; Warden Entzel; AW Keys; Regional Dir. Dunlap; Director Herwitz; Captains Howell and Phipps; Warden Coakley; Dr. Mimms; Health Administrators Friend and McCordle (sic), were personally involved with the acts and omissions of claim (1) fully incorporated through (continued)

CLAIM 3: Deliberate Indifference To serious Medical needs. And/or Conspiracy To deprive civil rights for unreasonable delay of access to proper standard of care, as derived from claim (1), (2); a continuing threat to health and safety placing Mr. Hall in imminent danger of serious injury violating the Constitution's 5th and 8th amendments.

Supporting Facts: Between the dates 3/2/19 to present as continuing from 5/17/18 claim (1) as fully incorporated in relevant part(s), defendants Dr. Mimms; Hospital administrators Friend and McCordle (sic), HIT clerk Shaw continued or carried on violations of civil rights with new defendants Warden Antonelli; RN M. Osborn; Dr. Dankwa; and PA. L. Bird in (continued)

CLAIM 4: Supervisors acted with deliberate indifference failing to properly supervise and train subordinates, denying proper standard of care; and/or conspired to deprive such civil rights for proper standard of care by tacit authorizations, that threatened health and safety placing plaintiff in imminent danger of serious injury violating the Constitution's 5th and 8th amendments.

Supporting Facts: Between the dates 3/2/19 to present, defendants Dir. Sawyer; Dir. Herwitz; Regional Dir. D.J. Harmon; Legal counsel - (continued):

Matthew W. Mellady · Legal Counsel's Office; Aw. Sweeney (sic); A.W McCaffrey; Captain Haggemeier; Dr. Mimms; Hospital Administrators Friend and McCordle (sic) and Warden Antonelli (continued):

CLAIM 5: Deliberate Indifference To serious Medical needs; And/or conspiracy To deprive Civil rights for unreasonable delay of access To proper standard of care. As derived from claims (1-4) a continuing threat to health and safety placing Mr. Hall in imminent danger of serious injury violating the Constitution's 5th and 8th amendments.

Supporting Facts: Between the dates 7/8/19 to present as continuing from 5/17/18 claims (1-4) as fully incorporated in relevant part(s) defendants Sarah Senko, officer Moates, continued to carry on violations of plaintiff's civil rights with other defendants, as authorized by Dr. Mimms, and hospital administrators friend and McCordle in deliberate indifference (continued):

VI. INJURY

Describe **BRIEFLY** and **SPECIFICALLY** how you have been injured and the exact nature of your damages.

Injuries To Claims 1-10 are attached as additional pages fully incorporated due to the numerous 36 injuries involved of the 10 claims.

Further, all damages are attached as additional pages fully incorporated for compensatory, punitive, attorney fees, interest and nature thereof the 10 claims and numerous parties involved.

VII. RELIEF

State **BRIEFLY** and **EXACTLY** what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.

1. Grant bench Trial; 2. Grant 28 USC 1361; 3. Grant all damages requested; 4. Grant IFP Imminent danger exception or 5. Grant exception for IFP under "Fundamental Interest At Stake" for access to the Court for injuries of Constitutional rights; 6. Grant all other damage request; 7. Order service of summons on defendants and any other relief this Court deems appropriate, also, may the Court Grant the Complaint filed under rule 8 and its Motion for additional pages, as the "Amended Complaint"; and May the Grant return copy due to lockdown status national BOP Agency.

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(Claim 1 - Continued): Additional page (1).

Conspiracy Against Civil rights of such conditions by unreasonable delay of access to outside care including pain management, as ordered by Dr. Adams for individualized needs. Resulting from repeated cancellations of appointments by HIT Clerk Shaw authorized by Health Administrators Friend and McCardle (sic) and understaffing of the medical department at USP Hazelton by Warden Cookley and health administrators Friend and McCardle (sic). These defendants acted outside their scope of employment or office against clearly established laws, that denied the proper standard of care, resulting in a wanton infliction of pain and suffering, worsening conditions and discrimination, and threat to health and safety, placing the plaintiff in imminent danger of serious injury that still exists at the time of complaint. In violation of the 5th amendment equal protection of law and 8th amendment cruel and unusual punishments.

(Claim 2 - Continued): Additional page (1).

Supporting Facts: deliberate indifference having tacit authorization of subordinate's conduct, failing to properly supervise and adequately train, and/or did conspire to deprive civil rights of plaintiff through tacit authorization of subordinate conduct, violating clearly established laws. Contributing to physical injuries and worsening conditions of plaintiff's chronic diseases as set forth in claim (1) fully incorporated. These defendants collectively denied the proper standard of care for plaintiff's individualized needs, through unconstitutional operations of USP Hazelton, w/v. of: 1). understaffing the medical department; 2). repeated lockdowns these defendants permitted to override timely access to outside medical appointments; 3). and permitted repeated cancellations of medical appointments. These defendants received legal notice through the U.S Attorney's Office, who acted outside their scope of employment or office against clearly established laws. Resulting in a wanton infliction of pain and suffering; worsening conditions and discrimination that threatened the health and safety of plaintiff placing plaintiff in imminent danger of serious injury that still exists at time of complaint. In violation of the 5th amendment equal protection of law and 8th amendment cruel and unusual punishment.

(over)

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(Claim 3 - Continued): Additional page (2)

deliberate indifference to serious medical needs and/or conspiracy to deprive civil rights for the timely access to outside services and proper standard of care for:

- 1). pulmonology for chronic asthma & COPD; lung deterioration to capacity of 49% with limited response to medicines; a 7mm nodule / growth lower right lung without testing for proper treatment;
- 2). neurology & physiatry for several spinal & lumbar stenosis & spondylosis; degenerative disc disease; disc herniation; and edema;
- 3). rheumatology for chronic arthritis deteriorating low back and hip muscles and affecting joints;
- 4). Cardiology for consistent low heart voltage;
- 5). optomology for impaired vision;
- 6). Orthopedics for right lower leg bone edema; right knee meniscus new tears & edema; loss of range of motion -8%;
- 7). Physical therapy to restore function;
- 8). Pain management for all chronic pain of such diseases and conditions, resulting from a continued repeated cancellation of medical appointments by HIT Clerk Shaw authorized by Hospital administrators friend and McCordle (sic) as further authorized by Warden Antonelli. These defendants acted outside their scope of office or employment against clearly established laws, that denied the proper standard of care, resulting in a wanton infliction of pain and suffering, worsening conditions and discrimination, and threat to health and safety, placing Mr. Hall in imminent danger of serious injury that still exists at the time of complaint. In violation of the 5th amendment equal protection of law and 8th amendment cruel and unusual punishment.

(Claim 4 - Continued): Additional page (2)

were personally involved with the acts and omissions of claim (3) fully incorporated through deliberate indifference having tacit authorization of subordinate's conduct, failing to properly supervise and adequately train; and/or did conspire to deprive civil rights of plaintiff through such tacit authorization of subordinate conduct, violating clearly established laws. Contributing to physical injuries and worsening conditions of plaintiff's chronic diseases as set forth in claim (3) fully incorporated. These defendants collective denied the proper standard of care for plaintiff's individualized needs for timely access to outside services for:

- 1). pulmonology;
- 2). neurology;
- 3). rheumatology;
- 4). Cardiology;
- 5). optomology;
- 6). Orthopedics;
- 7). physical therapy;
- 8). pain management as set forth in claim (3) fully incorporated.

As denied such rights, defendants Legal Counsel's office and legal counsel Matthew W. Mellady pursuant rule, regulation, policy or law had the only authority to deny medical rights and therefore either directly did so or indirectly by failing to supervise denied medical rights. The repeated cancellations of medical appointments by HIT Clerk Shaw, including delay to outside care as

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(Claim 4 - Continued): Additional page (3)

authorized by Health Administrators friend and McCardle, including Dr. Mimms, Warden Antonelli, Sweaney (sic) and McCaffrey permitted such unconstitutional operations of the medical department along with Captain Haggmeyer, in which the Regional Director D.J. Harmon, National Directors Sawyer and Herwitz also failed to supervise and properly train their subordinates. And because the laws were clearly established, these defendants acted outside their scope of employee or office, who did receive legal notice through the U.S Attorney's Office. Resulting in a wanton infliction of pain and suffering, worsening conditions and discrimination, that threatened the health and safety of plaintiff placing plaintiff in imminent danger of serious injury that still exists at time of complaint. In violation of the 5th amendment equal protection of law and 8th amendment cruel and unusual punishment.

(Claim 5 - Continued): Additional page (3)

to serious medical needs and/or did conspire to deprive civil rights for a Chronic Care appointment relating to any of the numerous chronic diseases or conditions set forth in claims (1-4) as fully incorporated, as individualized needs of 1). pulmonary; 2). neurology; 3). rheumatology; 4). cardiology; 5). psychiatry; 6). orthopedic; 7). optomology; 8). pain management etc. These defendants falsified reports and/or medical records and/or agreed thereto that obstructed such care and treatment. Specifically, defendants Senko and Moates approached plaintiff's cell in housing unit C2 on 7/8/19. Senko requested plaintiff to submit to hand restraints behind his back and to use a walker assigned to the plaintiff, as a wheelchair to push plaintiff to his medical visit at USP Hazelton, WV. The plaintiff repeatedly declined to be escorted by being pushed in the walker by Senko, and repeatedly requested a wheelchair to be used. Plaintiff repeatedly told Moates that he was not denying his medical appointment, just requesting a wheelchair for proper escort, because the walker specifically gives a clear warning and prohibits the medical device to be used in the way Senko ordered its use. Senko then denies the medical appointment and meets with Dr. Mimms and health administrators friend and McCardle. Senko writes a medical report that the plaintiff refused hand restraints and defendants Mimms, friend and McCardle agreed stating such. These reports did not disclose, nor did Moates intervene and report that plaintiff only refused to be escorted in the walker used as a wheelchair due to its warning label of risk of injury if used as such.

(over)

(Claim 5 - Continued): Additional page (4)

These defendants did therefore all agree to deprive civil rights of serious medical needs based on false reports and false medical records created by them to justify denying care. These defendants therefore did deny the proper standard of care in furtherance of excessive delay of adequate medical care for plaintiff's chronic care conditions. These defendants acted outside of their scope of office or employment against clearly established laws, that denied proper standard of care, resulting in a continued wanton infliction of pain and suffering and discrimination; and threat to health and safety, placing the plaintiff in imminent danger of serious injury that still exists at the time of complaint. In violation of the 5th amendment equal protection of law and 8th amendment cruel and unusual punishments.

Claim 6, continued: Additional page (4)

Claim 6: Supervisors acted with deliberate indifference failing to properly supervise and train subordinates, denying proper standard of care; and/or conspired to deprive such civil rights for proper standard of care by tacit authorizations, that threatened health and safety placing plaintiff in imminent danger of serious injury violating the constitution's 5th and 8th amendments.

supporting facts: Between the dates 7/8/19 to present, as continuing from 5/17/18 through claim (3) (1-5) fully incorporated in relevant part(s), defendants Warden Antonelli; AW Sweeney; Regional Director D.J. Harmon; Captain Haggmeyer; AW McCaffrey; Director Sawyer; office of legal counsel; Legal Counsel Mellady, were personally involved with the acts and omissions of claim (5) fully incorporated through deliberate indifference having tacit authorization of subordinate's conduct, failing to properly supervise and adequately train; and/or did conspire to deprive civil rights of plaintiff through such tacit authorization of subordinate conduct, violating clearly established laws. Contributing to physical injuries and worsening conditions of plaintiff's chronic diseases as set forth in claim (5) fully incorporated. These defendants collectively denied the proper standard of care for plaintiff's individualized needs for timely access to chronic care which was already nearly six months past review date of one year, for the Chronic Care Conditions of: 1). Pulmonary; 2). neurology; 3). rheumatology; 4). Cardiology; 5). orthopedic; 6). psychiatry; 7). optomology and 8). pain management; as set forth in claims (1-5) fully incorporated. As denied such rights, defendants Legal Counsel's office and legal Counsel Matthew W. Mellady, pursuant rule, regulation, policy or law had the only authority to deny medical rights and therefore either directly did so or indirectly by failing to supervise denied medical rights, this by-pass of the legal department for denied medical rights was tacitly authorized by Directors Harmon and Sawyer, including the other supervising defendants herein. And because the laws were clearly established, these defendants acted outside their scope of employment or office, who did receive legal notice through the U.S Attorney's office. Resulting in a wanton infliction of pain and suffering, worsening conditions and discrimination, that threatened the health and safety of plaintiff placing plaintiff in imminent danger of serious injury that still exists at time of complaint. In violation

(over)

(Claim 6 - continued): Additional page (5)
of the 5th amendment equal protection of law and 8th amendment cruel and unusual punishments.

Claim 7: Deliberate Indifference To serious Medical needs; And/or conspiracy To deprive civil rights for denial or accessive delay of Medical Transfer for proper standard of Care, As derived from claims (1-6), a continuing threat to health and safety placing Mr. Hall in imminent danger of serious injury violating the Constitution's 5th and 8th amendments.

supporting facts: Between the dates 10/25/18 to present, as continuing from 5/17/18 claims (1-6) as fully incorporated in relevant part(s), defendant's Central Office Medical Designator Yvette Phillips; office of Medical Designator; Office of Legal Counsel; Legal Counsel Matthew W. Mellady; Regional Director - D. J. Harmon; Warden Cookley; Dr. Nimms; FNP J. Pyles; In deliberate indifference for:

serious medical needs and/or conspiracy to deprive civil rights for medical transfer as required by policy directives and clearly established laws for placement in a Medical Referral Center regarding: 1). persistent chronic asthma; 2). COPD; 3). SOB with several intervening treatments of steroids; 4). several intubations; 5). 7mm nodule lower right lung; 6). 49% lung capacity with limited response to medicines; 7). lung scarring and abnormalities; 8). risk of lung collapse and death, in which policy for intubation alone requires medical transfer for (MRC) placement as part of the proper standard of care. Defendants Dr. Nimms and Pyles were informed by affidavit of plaintiff, that upon a routine medical visit with RN Julia Gillespie at USP Hazelton, WV, a peak flow test showed an average of (310) while on nonformulary medications for persistent asthma and COPD. In other words, these medicines were no longer controlling the plaintiff's respiratory diseases. Plaintiff has been treated several times for the diseases of pulmonary by steroids and breathing treatments, to include antibiotics, and no appointments scheduled for pulmonary consult for the proper standard of care and referral to the (MRC). All other defendants herein failed to follow policy for medical transfers for intubated inmates, upon transfers to and from other facilities.

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(Claim 7- Continued): Additional page (6)

As denied such rights, defendants legal counsel's office and legal counsel Matthew W. Mellady, pursuant rule, regulation, policy or law had the only authority to deny medical rights and therefore either directly did so or indirectly by such acts and omissions permitting defendants to by-pass the legal department for denied medical rights and being informed. Because laws were clearly established, these defendants all acted outside of their scope of employment or office, against clearly established laws, that denied the proper standard of care, resulting in a wanton infliction of pain and suffering, worsening conditions and discrimination, and threat to health and safety, placing Mr. Hall in imminent danger of serious injury that still exists at the time of complaint. In violation of the 5th amendment equal protection of law and 8th amendment cruel and unusual punishment.

Claim 8 : Supervisors acted with deliberate indifference failing to properly supervise and train subordinates, denying proper standard of care; and/or conspired to deprive such civil rights for proper standard of care by tacit authorizations that threatened health and safety placing plaintiff in imminent danger of serious injury violating the constitution's 5th and 8th amendments.

supporting facts : Between the dates 10/25/18 to present as continuing from 5/17/18 claims (1-7) fully incorporated in relevant part(s), defendants National Directors Herwitz ; Inch and Sawyer ; Regional Director Harmon ; Central office Medical Designator Yvette Phillips ; office of Medical Designator ; Legal counsel's office ; Legal counsel Matthew W. Mellady ; Warden Caskley ; Dr. Nimms ; Health Administrators Friend and McCardle, were personally involved with the acts and omissions of claims (1) fully incorporated through deliberate indifference having tacit authorization of subordinate conduct, failing to properly supervise and adequately train ; and/or did conspire to deprive civil rights of plaintiff through such tacit authorization of subordinate conduct, violating clearly established laws. These defendants collectively contributed

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(Claim 8 - continued): Additional page (7).

to physical injuries and worsening conditions of plaintiff's chronic diseases as set forth in Claim (1) fully incorporated. These defendants collectively denied the proper standard of care by failing to follow policy directives for persons with conditions that required post intubation(s), that mandated medical transfer to a medical referral center. As denied such rights, defendants legal counsel's office and legal counsel Mellady pursuant rule, regulation, policy or law had the only authority to deny medical rights and therefore either directly did so or indirectly by failing to supervise denied medical rights. This by-pass of the legal department for denied medical rights was tacitly authorized by all other defendants herein, and therefore acted outside their scope of employment or office, who did receive legal notice through the U.S Attorney's office. Resulting in a wanton infliction of pain and suffering, worsening conditions and discrimination, that threatened the health and safety of the plaintiff, placing plaintiff in imminent danger of serious injury that still exists at the time of the complaint. In violation of the 5th amendment equal protection of law and 8th amendment cruel and unusual punishments.

Claim 9: Deliberate Indifference To serious Medical needs; And/or conspiracy To deprive civil rights for denial or accessive delay of Medical Transfer for proper standard of care, As derived from claims (1-8), a Continuing threat to health and safety placing Mr. Hall in imminent danger of serious injury violating the constitutions 5th and 8th amendments.

supporting facts: Between the dates 5/24/18 to present, as continuing from 5/17/18 claims (1-8) as fully incorporated in relevant part (3), defendants, Dr. Mimms FNP-J. Pyles; Regional Directors Dunlap and Harmon; office of Medical designator; Central Office Medical Designator Yvette Phillips; office of Legal Counsel; Legal Counsel Mellady; Warden Antonelli; Dr. V. Dankwa; PA. Meyers; Warden J. Coakley; Warden F. Entzel, in deliberate indifference for serious medical needs and/or conspiracy to deprive civil rights for medical transfer - physical therapy as required by the proper standard of care to restore function derived from chronic disorders and diseases of:

- 1). Neurology;
- 2). rheumatology;
- 3). orthopedic conditions.

Defendants were responsible for filing and taking the correct procedures under policy directives for medical transfer to a facility that offers the required care, who did not

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(Claim 9 - continued): Additional page (8).

do so, nor afforded alternative physical therapy locally by out patient care, required for such conditions to restore function, under the proper standard of care. USP Hazelton does not offer physical therapy at the prison. These defendants collectively denied the proper standard of care by failing to follow policy and established laws for conditions requiring physical therapy. As denied such rights, defendants legal counsel's office and legal counsel Mellady pursuant rule, regulation, policy or law had the only authority to deny medical rights and therefore either directly did so or indirectly by failing to supervise denied medical rights or permitted by-pass of the legal department. These defendants acted outside their scope of employment or office against clearly established laws, that denied the proper standard of care. Resulting in a continual wanton infliction of pain and suffering, worsening conditions and discrimination, and continued threat of health and safety. Placing Mr. Hall in imminent danger of serious injury that still exists at time of complaint. In violation of the 5th amendment equal protection of law and 8th amendment cruel and unusual punishments.

Claim 10: Supervisors acted with deliberate indifference failing to properly supervise and train subordinates, denying proper standard of care; and/or conspired to deprive such civil rights for proper standard of care by tacit authorizations that threatened health and safety placing plaintiff in imminent danger of serious injury violating the constitution's 5th and 8th amendments.

Supporting Facts: Between the dates 5/24/18 to present as continuing from 5/17/18 claims (1-9) fully incorporated in relevant parts, defendants National Directors Herwitz; Sawyer. Regional Directors Dunlap and Harmon; Office of legal Counsel; legal Counsel Matthew W. Mellady; Warden J. Cockley; Warden F. Entzel; Warden Antonelli; Hospital Administrators Friend and Mcardle; AW Keys; AW Sweeney; Dr. G. Nimms, were personally involved with the acts and omissions of claim (9) fully incorporated through deliberate indifference having tacit authorization of subordinate conduct, failing to properly supervise and adequately train; and/or did conspire to deprive civil rights of plaintiff through such tacit authorization of subordinate conduct

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(Claim 10 - Continued): Additional page (9)

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violating clearly established laws. These defendants collectively contributed to continued physical injuries and worsening conditions of plaintiff's chronic diseases and conditions as set forth in claim (9) fully incorporated. These defendants collectively denied the proper standard of care by failing to afford physical therapy to restore function that required medical transfer or outpatient care. As denied such rights, defendants legal counsel's office and legal counsel Mellady pursuant rule, regulation, policy or law had the only authority to deny medical rights and therefore either directly did so or indirectly by failing to supervise denied medical rights. This by-pass of the legal department for denied medical rights was tacitly authorized by all other defendants herein, and therefore acted outside their scope of employment or office. Who did receive legal notice through the US Attorney's Office. Resulting in a continued wanton infliction of pain and suffering and worsening conditions, placing plaintiff in imminent danger of serious injury that still exists at the time of complaint. In violation of the 5th amendment equal protection of law and 8th amendment cruel and unusual punishments.

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IV. Injuries (continued): (p.15)

General Injury Chart (Fully Incorporated)

- 1). Worsening conditions of persistent asthma and copd;
- 2). worsening conditions of SOB (shortness of breath);
- 3). Worsening Lung Capacity;
- 4). Right lung 7mm nodule growth;
- 5). worsened nerve injuries either compressed or in part; stretched or displaced persistent chronic pain;
- 6). worsening and deteriorating Lumbar disc L4, L5, S1 stenosis and persistent chronic pain;
- 7). worsening loss of muscles low back and persistent chronic pain;
- 8). worsening persistent chronic sciatic nerve pain;
- 9). worsening persistent weakness and numbness of hands; legs and feet;
- 10). worsening degenerative disc stenosis and persistent chronic pain;
- 11). Worsening chronic persistent pain of neck and shoulders and weakness;
- 12). Worsening and persistent chronic pain of herniated disc;
- 13). Worsening reduced and limited ambulation and balance and more frequent falls;
- 14). worsening bed mobility and persistent chronic pain;
- 15). worsening continence control of bowel and urine;
- 16). worsening migraines persistent chronic pain up to a week;
- 17). worsening erection dysfunction;
- 18). Loss of Life activities or worsening limitations of sports; exercise; walking; running;
- 19). worsening arthritis and persistent chronic pain in all joints;
- 20). worsening meniscus tears right Knee with persistent chronic pain;

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General Injuries Chart (continued), (p.15)

- 20). Worsening deterioration of hip muscles and arthritis and persistent chronic pain;
- 22). Bone edema right leg persistent chronic pain;
- 23). Discrimination equal protection of law 5th amendment;
- 24). Cruel and unusual punishments 8th amendment; wanton infliction of pain and suffering;
- 25). Worsening reduced sight; blurriness and sensitivity to light and persistent pain;
- 26). Worsening heart voltage and persistent pain;
- 27). Loss of Rom -8% right Knee; and persistent chronic pain;
- 28). Worsening gait and persistent chronic pain;
- 29). Worsening chronic allergies contributing to respiratory diseases; facial pain;
- 30). Increased risk of death due to lung capacity and persistent asthma/copd and risk of collapsed lungs;
- 31). Lack of sleep due to persistent chronic pain; and respiratory diseases;
- 32). Worsening persistent chronic pain in soles of feet;
- 33). Worsening persistent chronic pain in legs, shooting pain;
- 34). Worsening persistent chronic pain in arms;
- 35). Worsening persistent chronic pain in groin and waist;
- 36). Depleted Life span

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IV. Specific Injuries To Claims: (p. 15)
(Fully Incorporated)

(All referenced claims fully incorporates all injury paragraphs stated in the general injury chart).

Claims (1-2): fully incorporates general injury chart paragraphs
1-18; 23; 24; 29-36.

Claims (3-4): fully incorporates general injury chart paragraphs
1-36 passim.

Claims (5-6): fully incorporates general injury chart paragraphs
1-36 passim.

Claims (7-8): fully incorporates general injury chart paragraphs
1-4; 18; 23; 24; 29-36.

Claims (9-10): fully incorporates general injury chart paragraphs
5-15; 18-24; 27; 28; 31-36.

Supplement: (All claims of physical injuries shall fully
incorporate mental anguish injury passim).

VI Damages (continued): (p.15)A. Compensatory Damages:

1. Defendants et. al. claims (1-10) shall be liable for \$1 million dollars jointly and severally per claim for the physical injuries sustained.
2. Defendants et. al. claims (1-10) shall be liable for \$1 million dollars jointly and severally per claim for the emotionally or mental anguish sustained.
3. Defendants et. al. claims (1-10) shall be liable for \$1 million dollars jointly and severally per claim for the Constitutional injury under the 5th Amendment.
4. Defendants et. al. claims (1-10) shall be liable for \$1 million dollars jointly and severally per claim for the constitutional injury under the 8th Amendment.

B. Punitive Damages:

5. \$1 million dollars jointly and severally per claim against defendants et. al. claims (1-10), of conviction.

C. Issue Order pursuant 28 USC 1361 To perform duties

6. Order the BOP Agency and Employees defendants to immediately arrange for the plaintiff to be transferred to a medical referral center in his region for his total medical care and as required for persons of institution pursuant policy directives;
7. Also, to immediately arrange for the plaintiff's access to all outside special clinic services not available at USP Hazelton consisting of:
 - 1). Pulmonary; 2). Cardiology; 3). orthopedic; 4). rheumatology; 5). Neurology;
 - 6). psychiatry; 7). optomology; 8). physical therapy; 9). Pain management; for the care and treatment and restoration of function to plaintiff's health.
8. Also, to afford outside consultation and carry out without delay within (30) days from Order, the treatment recommended by such

(over)

VI. (Damages continued): (p.15)

Specialists of outside services.

D. Attorney Fees

9. Award Attorney Fees pursuant 42 USC 1988.

E. Interest

10. Pursuant 28 USC 1961 may the Court award interest at or from time of Judgment.

F. Grant such other damages as the Court deems necessary that plaintiff may be entitled.

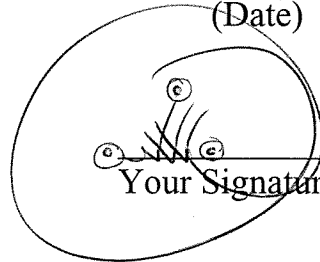
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Attachment A

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that he/she is the plaintiff in the above action, that he/she has read the above complaint and that the information contained in the complaint is true and accurate. Title 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Executed at USP Hazelton, WV. on 3/16/20 Lockdown Status
 (Location) (Date)


 Your Signature

Certificate of Service

I depose under penalty of perjury 28 USC 1746 that the original copy of the "Amended Civil Complaint" no. 5:20 cv 36 was deposited with prison officials first class postage - requesting service of summons by the Clerk of Court during national lockdown to:

1). Clerk of Court

P.O. B 1518

Elkins, WV. 26241-1518

Requesting Courtsey Copy of Complaint due to National Lockdown.


 This day 3/16/20